

IN THE CLAIMS

The claims in this case read as follows:

1. (currently amended) A soft capsule shell comprising:
 - (a) a gum consisting essentially of a high acyl gellan gum having more than 40% acetyl and more than 45% glyceryl residual substituents per repeat unit and a low acyl gellan gum having less than 25% acetyl and less than 15% glyceryl residual substituents per repeat unit;
 - (b) a starch; and
 - (c) a plasticizer, wherein the plasticizer is in an amount of from 30 to 80% of the starch (w/w dry basis).
2. (cancelled)
3. (cancelled)
4. (previously presented) The capsule of claim 1, wherein the high acyl gellan gum is present in an amount of from about 0.3 to about 5% and the low acyl gellan gum is present in an amount of from about 0.1 to about 4% by weight of the composition on a wet basis.
5. (cancelled)
6. (cancelled)
7. (previously amended) The capsule of claim 1, wherein the ratio of high acyl gellan to low acyl gellan is from about 0.25:1.0 to about 30.0:1.0.
8. (cancelled)
9. (currently amended) The capsule of claim 1, wherein the starch contains at least about 10% by weight amylose is an amylose-containing starch.
10. (currently amended) The capsule of claim 9, wherein the starch is a stabilized starch selected from the group consisting of a hydroxypropylated starch, a hydroxyethylated starch, an acetylated starch, and mixtures thereof.
11. (cancelled) The capsule of claim 10, wherein the starch is selected from the group consisting of a hydroxypropylated starch, a hydroxyethylated starch, an acetylated starch, and mixtures thereof.
12. (cancelled)
13. (previously presented) The capsule of claim 4, wherein the starch is a dextrinized starch.
14. (previously presented) The capsule of claim 4, wherein the starch is present in an amount of from about 15% to about 40%, by weight of the composition on a wet film basis.
15. (previously presented) The capsule of claim 7, wherein the starch is present in an amount of from about 15% to about 40%, by weight of the composition on a wet film basis.
16. (currently amended) The capsule of claim 10-14, wherein the starch is present in an amount of from about 15% to about 40%, by weight of the composition on a wet film basis.

17. (previously presented) The capsule of claim 1, wherein the plasticizer is glycerin and is present in an amount of from about 30 to 80% by weight of the starch.
18. (previously presented) The capsule of claim 4, wherein the plasticizer is glycerin and is present in an amount of from about 30 to 80% by weight of the starch.
19. (previously presented) The capsule of claim 7, wherein the plasticizer is glycerin and is present in an amount of from about 30 to 80% by weight of the starch.
20. (previously presented) The capsule of claim 1, further comprising 6 hydrophilic or surface hydrophilically modified colloidal particles.
21. (previously presented) The capsule of claim 4, further comprising hydrophilic or surface hydrophilically modified colloidal particles.
22. (currently amended) The capsule of claim 7, further comprising hydrophilic or surface ~~hyrophilically~~ hydrophilically modified colloidal particles.
23. (cancelled)
24. (previously presented) The capsule shell of claim 4, wherein the ratio of high acyl gelan to low acyl gelan is from about 0.25:1.0 to about 30.0:1.0.
25. (currently amended) The capsule shell of claim 24, wherein the starch is ~~a stabilized amylose containing starch contains at least about 10% by weight amylose and is~~ selected from the group consisting of a hydroxypropylated starch, a hydroxyethylated starch, an acetylated starch, and mixtures thereof.
26. (previously presented) The capsule shell of claim 1, wherein the starch has a water fluidity of from about 20 to 90.

STATUS OF THE CLAIMS

Claims were pending.

Claims 1-19 and 23-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Gilleland, et al. (US 6,375,981) in view of Winston, et al. (US 5,342,626) in further view of Chang, et al. (US 5,190,927).

Claims 20-22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gilleland, et al. (US 6,375,981) in view of Liu, et al. (US 6,303,290).

Claim 11 has been cancelled.

Claims 1, 9, 10, 16, 22 and 25 have been amended.

Claims are presented for reconsideration.